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Chambers of Vincent L. Briccetti

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOSE CARRASCO,

Plaintiff,

v.

SUPERINTENDENT THOMAS GRIFFIN,

Defendant.
-----X

ORDER

17 CV 9643 (VB)

For substantially the reasons set forth in defendant's letter dated December 20, 2022 (Doc. #100), the Court deems defendant's motion for summary judgment (Doc. #87) fully submitted and unopposed. The Court will decide the motion in due course.

The Court has extended plaintiff's deadline to oppose defendant's motion twice: the first extension was granted sua sponte after plaintiff missed his original deadline, and the second extension granted plaintiff the full six-month extension he requested. (See Docs. ## 96, 98).

Thus, plaintiff's deadline to oppose the motion was December 6, 2022. To date, plaintiff has failed to respond to defendant's motion or request an extension of his time to do so.

In each Order extending plaintiff's deadline, the Court warned plaintiff the Court was unlikely to grant any further extensions, and that the Court would deem the motion fully submitted and unopposed if plaintiff failed to oppose the motion by the applicable deadline.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: December 21, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge